

**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 12/16/03

AGENDA ITEM 6

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** Director of Community and Economic Development

**SUBJECT:** Utility Service Agreement 03-05 – David and Patricia Ayala (Applicant/Owner) – Authorize the City Manager to Execute a Utility Service Agreement for Water Service at Assessor's Parcel Number 425-0080-002, 25601 Clover Drive

**RECOMMENDATION:**

It is recommended that the City Council adopt the attached resolution:

- 1) Authorizing the City Manager to execute a Utility Service Agreement to provide water service for the property at Assessor's Parcel Number 425-0080-002 on Clover Drive;
- 2) Authorizing the City Manager to execute a Public Street Improvement Agreement for the property at Assessor's Parcel Number 425-0080-002 on Clover Drive; and
- 3) Directing staff to apply to the Local Agency Formation Commission (LAFCO) for approval of the Utility Service Agreement.

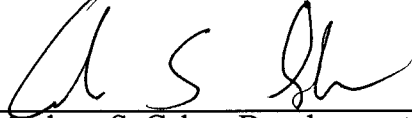
**DISCUSSION:**

The applicant has requested water service connections for a domestic service for a single-family home and for a fire service for a required fire hydrant. The parcel, currently within Alameda County, is being subdivided, and the applicants are proposing to construct a single-family home on the new parcel. The property is located on the south side of Clover Drive within the Fairview District. The City has a water main in Clover Drive with adequate capacity to serve the site. The property is located within the Castle Homes area, and is subject to the Castle Homes water service agreement executed in 1954. This agreement requires that the City maintain sufficient water supply for the property, subject to execution of a utility service agreement and reasonable conditions.

Pursuant to City policy, the applicant has executed agreements committing them to install roadway frontage improvements and tie-in pavement at a future date and agreeing to annex, if and when requested by the City. This is consistent with past agreements approved for providing utility service to properties outside the City limits.

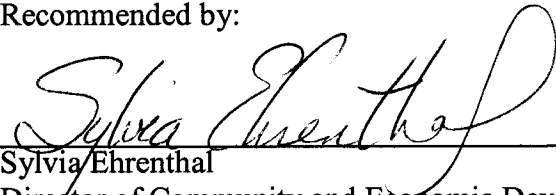
This application for the water service is Categorically Exempt per CEQA Guideline Section 15301(b) (existing facilities of a publicly owned utility). If execution of the agreements is approved, the City will need to apply to LAFCO for approval of the utility service agreement.

Prepared by:



Andrew S. Gaber, Development Review Services Engineer

Recommended by:



Sylvia Ehrenthal  
Director of Community and Economic Development

Approved by:

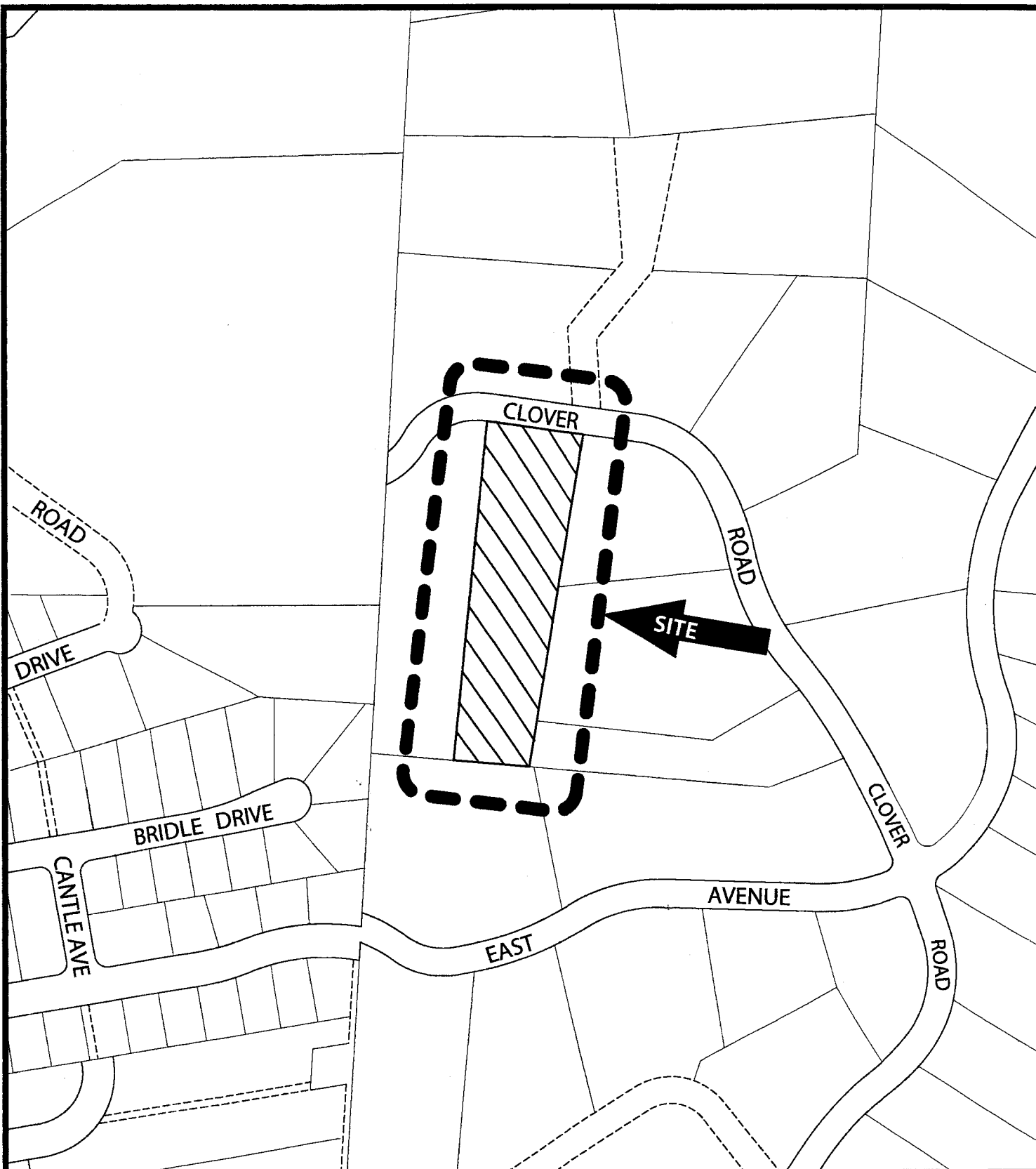


Jesús Armas, City Manager

Attachments:

Exhibit A      Area Map

12.1.03



**Area & Zoning Map**

PL-2003-0615

Address: 25601 Clover Road

Applicant:

Owner:



**EXHIBIT A**

# DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. 03-

Introduced by Council Member \_\_\_\_\_

*me*  
*12/1/03*

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO LAFCO FOR APPROVAL OF A UTILITY SERVICE AGREEMENT (USA 03-05) TO PROVIDE WATER SERVICES TO PROPERTY LOCATED ON CLOVER DRIVE, ASSESSOR'S PARCEL NO. 425-0080-002; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH AGREEMENT, AS WELL AS AN AGREEMENT FOR COMPLETION OF PUBLIC STREET IMPROVEMENTS

WHEREAS, David and Patricia Ayala (Applicant/Owner) has requested water service for the property located on Clover Drive, Assessor's Parcel No. 425-0080-002; and

WHEREAS, pursuant to City policy, the applicant has executed an agreement to install street improvements across the property frontage at a future date and agreed to annex when requested by City; and

WHEREAS, the applications are categorically exempt pursuant to California Environmental Quality Act (CEQA) Guideline section 15301(b) (existing facilities of a publicly owned utility); and

WHEREAS, the City is required to apply to LAFCO for approval of the utility service agreement, for which the applicant has agreed to pay.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is authorized to file an application with the Alameda County Local Agency Formation Commission ("LAFCO") for approval of Utility Service Agreement 03-05 in connection with property located on Fairview Avenue, Assessor's Parcel No. 425-0080-002.

BE IT FURTHER RESOLVED that the City Manager is also authorized to execute a utility service agreement and public street improvement agreement in the form of the agreements on file in the office of the City Clerk, to which reference may be made for further particulars, following the LAFCO's approval of the utility service agreement pursuant to Government Code section 56133.

IN COUNCIL, HAYWARD, CALIFORNIA December 16, 2003

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward